# APPENDIX B: GUIDELINES FOR POST-DECISION CHANGES

The responsible official shall use the following guidelines to help classify the type of procedure that should be used to review proposed changes in final decisions.

When a decision is made using a Type I process, it can be changed using a Type I process. When a decision is made using a Type II process, it can be changed using a Type I or Type II depending on nature of the proposed change and the decision in question. When a decision is made using a Type III process, it can be changed using a Type I, Type II, or Type III process depending on nature of the proposed change and the decision in question.

In general, if a decision contains findings that a given condition of approval was imposed to address a specific potential impact of the proposed development, then that condition of approval can be changed only using the same type process as the original decision.

For instance, if a decision approving a subdivision (a Type III process) requires an applicant to install a fence at a certain time, and if the decision contains findings that the fence is needed to mitigate the impact of the subdivision, then review of a request to waive or delay installation of the fence would be subject to a Type III process.

The following guidelines apply when a decision is silent about why it includes a given condition of approval, or when a condition of approval is imposed based on findings that the condition is necessary to reflect the applicable law or the application rather than a specific potential impact of the proposed development.

## GUIDELINES FOR POST-DECISION CHANGES

| Type of decision being changed | II | | III | | |
|---|---|---|---|---|---|
| | | | | | |
| Type of process to change decision | I | II | I | II | III |
| | | | | | |
| **Roads** | | | | | |
| | | | | | |
| To change right of way or improvement dimension(s) to be consistent with adopted design criteria if the stated right of way or improvement dimension was not required to exceed the adopted design criteria to mitigate specific impacts or concerns expressly addressed in the decision[1] | X | | X | | |
| To change right of way or improvement dimension(s) to be consistent with adopted design criteria if the stated right of way or improvement dimension was required to exceed the adopted design criteria to mitigate specific impacts or concerns expressly addressed in the decision | | X | | | X |
| To modify a road standard by < 10% | X | | X | | |
| To modify a road standard by > 10% | | X | | | X |
| To change the location of proposed public or private streets without adding or deleting street stubs at the edge of the site, without violating cross-circulation standards, and without moving a street from inside the site to the edge of the site. | X | | | X | |
| To change the location of proposed public or private streets by adding or deleting street stubs at the edge of the site, by violating cross-circulation standards, and by moving a street | | X | | | X |

| | I | II | I | II | III |
|---|---|---|---|---|---|
| from inside the site to the edge of the site | | | | | |
| To waive or defer installation of a traffic signal | | X | | | X |
| | | | | | |
| **Other public utilities/facilities** | | | | | |
| | | | | | |
| To change impact fee amounts to reflect credits/adjustments | X | | X | | |
| To change a plat or plan to add dedications for public utilities/facilities on the site | X | | | X | |
| To change a plat or plan to delete dedications for public utilities/facilities on the site | | X | | X | |
| To change the water, drainage, or sewage system from public to private or vise-versa unless the original decision provides otherwise | | X | | | X |
| To change the location of proposed stormwater facilities or mitigation wetlands without moving any open water features from inside the site to the edge of the site | X | | | X | |
| To change the location of proposed stormwater facilities or mitigation wetlands by moving an open water feature from inside the site to the edge of the site or offsite | | X | | | X |
| To change the dimension(s) of a stormwater facility, buffer, or mitigation wetland such that the new dimension(s) continues to meet adopted design criteria and approval criteria for the project | X | | X | | |
| **Type of decision being changed** | II | | III | | |
| | | | | | |
| **Type of process to change decision** | I | II | I | II | III |
| **General numerical standards** | | | | | |
| To increase setbacks, reduce building height, or make other changes that inherently reduce the potential impact of a use | X | | X | | |
| To grant an administrative variance to one dimensional standard | X | | X | | |
| To grant an administrative variance more than one standard | | X | | X | |
| To reduce proposed setbacks < 10% | X | | X | | |
| To reduce proposed or required setbacks > 10% | | X | | X | |
| To increase the height of a proposed structure < 10% | X | | X | | |
| To increase the height of a proposed structure > 10% | | X | | X | |
| To increase the gross floor area of a structure < 10% | X | | X | | |
| To increase the gross floor area of a structure > 10% | | X | | X | |
| To increase the size or number of signs or change the location of signs in compliance with applicable law | X | | | X | |
| To reduce the number of lots | No action required | | | | |
| To increase the number of lots | | X | | | X |
| To reduce the number of parking spaces or dimensions of parking and maneuvering features consistent with the law | X | | | X | |
| | | | | | |
| **Other changes** | | | | | |
| | | | | | |
| To grant an exception/adjustment to the solar access standard | X | | X | | |
| To increase the operational measures of a conditional use (e.g., number of employees, hours of operation, exterior lighting, storage or display, etc.) | Does not apply | | | X | |

| | Case-by-case | Does not apply | |
|---|:---:|:---:|:---:|
| To change a site plan to remove trees or other vegetation or to reduce landscaping (depends on amount and substitutions) | | | |
| To change a site plan to eliminate perimeter fencing | X | X | |
| To change a site plan to change fencing from solid to sight-obscuring or from sight-obscuring to non-obscuring | X | X | |

[1] This circumstance might arise where a mistake of fact was made in the decision. For instance, if the decision requires the applicant to dedicate a 54-foot right of way and to improve a 36-foot paved section based on the assumption the street in question is a neighborhood access street, but, after the decision is final, it is determined the street is only a local street, then the guideline would allow the responsible official to reduce the required right of way and improvement widths to conform to the code standards for a local street (i.e., 50-foot right of way and 32-foot paved section).